



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

February 13, 2007

John Wilhelm, Treasurer
UNITE HERE TIP Campaign Committee
275 Seventh Ave, 10th Floor
New York, NY 10001

Response Due Date:
March 19, 2007

Identification Number: C00004861

Reference: Amended 12-Day Pre-General Report (10/1/06-10/18/06), received
1/5/07

Dear Mr. Wilhelm:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Your amended report discloses additional debts totaling \$20,130.01 on Line(s) 10 of the Summary Page that were not disclosed on your original report. Please provide clarifying information as to why this activity was not disclosed on your original report. 11 CFR §104.3

-Schedule B supporting Line 23 of your report discloses \$5,000 in activity identified as MEMO entries that do not appear to correspond with any itemized transaction. Please be advised, a memo entry is used to disclose additional information about an itemized transaction and the amount of a memo entry is not included in the total receipts or disbursements for the report.

Additionally, this activity appears to be for in-kind contributions made on behalf of federal committees. When disclosing in-kind contributions, you should identify the committee which has received goods and services from your committee and also provide information about the original vendor for these goods and services. If the original payments for the goods and services have already been itemized as operating expenditures and included in the total for Line 21 of the Detailed Summary Page then the amount of

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such activity should be subtracted from Line 21(b) and added to Line 23 of the Detailed Summary Page. Please amend your report to clarify this discrepancy.

-Itemized independent expenditures must include a brief statement or description of why the expenditures were made. Please amend Schedule E of your report to clarify the following description(s): "Staff Services." For further guidance regarding acceptable purposes, please refer to 11 CFR §104.3(b)(3).

-Schedule E of your report discloses lump sum payments to "ADP Payroll Services" for payroll purposes; however, you have not itemized the individuals who receive payment. Each person who provided services to the committee must be identified in a memo entry if the payments made through the payroll account to the ultimate payee exceed \$200 in a calendar year. Please amend your report by providing the name, date, amount, and purpose for such payments as required by 11 CFR §102.9(b)(2)(i)(A) and clearly identify on the Schedule E, which payment each memo entry relates to.

-2 U.S.C. §434(b)(6)(B)(iii) requires that the supporting schedule for disclosing independent expenditures be signed by the treasurer. This is to attest to the fact that the expenditures were not made in cooperation, consultation, or concert, with, or at the request or suggestion of, any candidate or any authorized committee or agent of such committee. Please amend your Schedule E accordingly.

-Schedule E of your report discloses a total of \$10,687.08 in payments to your connected organization and an apparent affiliated unregistered organization for "Staff Services" on behalf of federal candidates. 2 U.S.C. §441b prohibits a corporation or labor organization from contributing or expending funds for the purpose of influencing any federal election; however, a connected organization may pay for the solicitation and administrative costs of its separate segregated fund. Further, 11 CFR §114.2(f) prohibits corporations and labor organizations from facilitating the making of contributions to candidates or political committees, other than to the separate segregated funds of the corporations and labor organizations. Facilitation means using corporate or labor organization resources or facilities to engage in fundraising activities in connection with any federal election. The use of corporate or labor organization resources in connection with a fundraiser may be permissible for certain fundraising activities only if the corporation or labor organization receives advance payment for the fair market value of such services. 11 CFR §114.2(f)(2)(i)(A), (C) and (E)

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Please amend your report to clarify whether the payment to your connected organization was for expenditures which were intended to influence federal elections and provide the dates of the activity conducted by your connected organization. In addition, please clarify whether your committee made advance payment for these services to your connected organization. Although the Commission may take further legal action concerning this matter, your prompt action will be taken into consideration.

-Schedule E of your report indicates that your committee may have failed to timely file one or more of the required 48 hour notices for independent expenditures (see attached). A political committee must file a 48 hour report with the Federal Election Commission as specified in 11 CFR §104.4(b), within 48 hours of any independent expenditures aggregating \$10,000 or more with respect to a given election, made any time during the calendar year up to and including the 20th day before an election. The notice must be received by the Commission by 11:59 p.m. on the second day following the date on which independent expenditures that aggregate \$10,000 or more are publicly distributed or disseminated. These expenditures must then be fully itemized on Schedule E, or as memo entries on Schedule E and reflected on Schedule D if distributed or disseminated prior to payment, of the next report required to be filed by the committee. Although the Commission may take further action concerning this matter, your prompt response will be taken into consideration. 11 CFR §104.3(b)

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1141.

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Sincerely,

A handwritten signature in black ink, appearing to read 'D. Buckley', with a large, stylized loop at the end.

Daniel T. Buckley

Campaign Finance Analyst
Reports Analysis Division

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Name of Payee	Date	Amount	Purpose	Candidate
Peter D. Hart Research Associates Inc.	09/30/2006	\$ 2,750.00	Polling	Christopher Shays
Peter D. Hart Research Associates Inc.	09/30/2006	\$ 2,750.00	Polling	Diane Farrell
UNITE HERE	10/10/2006	\$634.27	Staff Services	Christopher Shays
UNITE HERE	10/10/2006	\$634.26	Staff Services	Diane Farrell
UNITE HERE Local 34	10/10/2006	\$512.65	Staff Services	Christopher Shays
UNITE HERE Local 34	10/10/2006	\$512.65	Staff Services	Diane Farrell
UNITE HERE Local 34	10/10/2006	\$634.27	Staff Services	Christopher Shays
UNITE HERE Local 34	10/10/2006	\$634.26	Staff Services	Diane Farrell
Urban Art Lithography	10/11/2006	\$1,218.00	Printing	Christopher Shays
MailRite	10/11/2006	\$2,527.00	Mailhouse	Christopher Shays
Urban Art Lithography	10/11/2006	\$1,218.00	Printing	Diane Farrell
MailRite	10/11/2006	\$2,527.00	Mailhouse	Diane Farrell

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